IN THE HIGHCOURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 677 (SS) of 2007

Chandra Pal
S/o Sri Ram Chandra,
Presently serving as Mochi, 31 Battalion,
PAC Rudrapur,
Udham Singh Nagar. **.....Petitioner.**

Versus

Union of India and six others. **.....Respondents**

Hon'ble M.M. Ghildiyal, J.

Heard Sri Rajeev Sharma, learned counsel for the petitioner, Sri Paresh Tripathi, learned Brief Holder for State of Uttarkhand, Smt. Beena Pandey, learned Standing counsel for State of U.P. and Smt. Anjali Bhargava, learned standing counsel for Union of India.

By means of this writ petition, the petitioner has prayed for the following reliefs:-

a. *Issue a writ order or direction in the nature of Certiorari for quashing the impugned order dated 04.06.2007 Annexure 1 to this writ petition.*

b. *Issue a writ, order or direction in the nature of Mandamus commanding the respondents not to relieve the petitioners for State of U.P.*

c. *Issue a writ, order or direction in the nature of Mandamus commanding the respondents to finally allocate the petitioners for Uttarakhand Cadre with all consequential benefits.*

d. issue a writ, order or direction, which this Hon'ble court may deem fit and proper in the circumstances of the case.

e. *Award cost of the petition in favour of the petitioner.*

Vide order dated 04.06.2007, Commandant, 31, Battalion, Rudrapur, relieved the petitioner, who is working as Cobbler in 31, Battalion, PAC, Rudrapur, from State of Uttarakhand to State of U.P., as he has been finally allocated by the Union of India for State of U.P.

Since the petitioner has already been finally allocated to State of U.P. and has already been relieved from State of Uttarakhand on 04.06.2007, I decline to interfere with the impugned order. However, respondents are at liberty to take decision on the representation of the petitioner dated 11.06.2007 for mutual transfer (annexure no. 5 to the writ petition) in accordance with law.

With this directions, writ petition as well as stay application is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

June 15, 2007
SKSharma